

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

|                           |   |  |
|---------------------------|---|--|
| WILLIAM A. FARRIS,        | ) |  |
| Plaintiff,                | ) | Civil Action No. 14-444                |
|                           | ) |  |
| vs.                       | ) | Chief Magistrate Judge Lisa P. Lenihan |
|                           | ) |  |
| UNITED STATES OF AMERICA, | ) |  |
| Defendant.                | ) |  |

**ORDER ON MOTION OF DEFENDANT TO DISMISS**

In accordance with the Memorandum Opinion of even date herewith, the Motion to Dismiss filed by Defendant United States of America (“Defendant”) will be denied, as William Farris (“Plaintiff”) properly filed his complaint before the six-month statute of limitations expired pursuant to the Federal Tort Claims Act (“FTCA”), 28 U.S.C. § 2401(b) (2012), interpreted in accordance with Fed. R. Civ. P. 6(a) (2012) and the holding of the Court of Appeals for the Third Circuit in Frey v. Woodward, 748 F.2d 173, 175 (3d Cir. 1984).

**AND NOW, THEREFORE**, this 26th day of August, 2014,

**IT IS HEREBY ORDERED** that the Defendant’s Motion to Dismiss is **DENIED**.

/s/ Lisa Pupo Lenihan  
LISA PUPO LENIHAN  
United States Chief Magistrate Judge

Dated: August 26, 2014

